UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/899,260	07/06/2001	Toshikazu Higashi	018656-234	3456

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ART UNIT	PAPER NUMBER
3692	

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05/01/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<table>
<tr>
<td rowspan="2">Office Action Summary</td>
<td>Application No.

09/899,260</td>
<td>Applicant(s)

HIGASHI ET AL.</td>
<td rowspan="2"></td>
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<tr>
<td>Examiner

Jennifer Liversedge</td>
<td>Art Unit

3692</td>
</tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 March 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All   b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's amendment and request for continued examination of Application 09/899,260 filed on March 2, 2007.

The amendment contains original claims: 6-7.

The amendment contains amended claims: 1-5, 8.

The amendment contains new claims: 9-14.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/2/2007 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over US

Patent No. 7,075,666 B1 to Aiyama (further referred to as Aiyama), and further in view

of US Patent No. 6,952,780 B2 to Olsen et al. (further referred to as Olsen).

Regarding claims 1-3, Aiyama discloses an information processing and electronic

payment method (columns 1-8) comprising the steps of:

Receiving, through a network, data including both processing data to be

information-processed and electronic money by which payment for information

processing is made (Figure 1; column 3, lines 52-61; column 6, lines 10-39; column 8,

lines 6-7);

Relating the received data to be information-processed with the electronic money

by which payment for information is made (Figure 4; column 6, lines 10-39; column 8,

lines 6-7);

Making a request to determine whether the received electronic money is valid or

not (column 7, lines 1-5; column 8, lines 6-7); and

When the received electronic money is confirmed to be valid, automatically

starting the processing of the processing data to be information-processed (column 7,

lines 1-16; column 8, lines 6-7).

Aiyama does not specifically disclose wherein the processing data and the

electronic money are attached together. However, Olsen discloses where processing

data and a means of billing for the processing of the data are attached together (column

25, lines 33-42; column 59, lines 37-50) and where cards such as credit cards may be

read by an attached card reader (column 5, lines 23-37). It would be obvious to one of

ordinary skill in the art to adapt the use of attaching information processing and a

means of billing it as disclosed by Olsen to the information processing and payment by

electronic money as disclosed by Aiyama. The motivation would be to create an

associated between the data in a job and the means by which the job is being paid for.

Regarding claim 4, Aiyama discloses a system for making payment by electronic

money (columns 1-8) comprising:

A user side subsystem including a user's terminal (Figures 1 and 4),

An electronic money issuer side subsystem including an electronic money

issuing server (Figure 4), and

A processor side subsystem including a data processor that performs a

processing based on processing request data from the user (Figures 1 and 4),

Wherein the user side subsystem, the electronic money issuer side subsystem

and the processor side subsystem are connected to one another through a network

(Figure 4),

Wherein the user side subsystem transmits both the processing request data and

electronic money data including electronic money issued by the electronic money issuer

side subsystem together to the processor side subsystem (Figure 1; column 3, lines 52-

61; column 6, lines 10-39; column 8, lines 6-7);

The processor side subsystem transmits the electronic money data to the

electronic money issuer side subsystem (column 6, lines 10-67; column 7, lines 1-5;

column 8, lines 6-7);

The electronic money issuer side system determines whether the electronic

money is valid or not (column 7, lines 1-5; column 8, lines 6-7); and

The processor side subsystem performs the processing based on the processing

request data in accordance with a result of the electronic money validation and

transmits a request for payment for the processing to the electronic money issuer side

subsystem (column 6, lines 10-67; column 7, lines 1-16; column 8, lines 6-7).

Aiyama does not specifically disclose wherein the processing data and the

electronic money are attached together. However, Olsen discloses where processing

data and a means of billing for the processing of the data are attached together (column

25, lines 33-42; column 59, lines 37-50) and where cards such as credit cards may be

read by an attached card reader (column 5, lines 23-37). It would be obvious to one of

ordinary skill in the art to adapt the use of attaching information processing and a

means of billing it as disclosed by Olsen to the information processing and payment by

electronic money as disclosed by Aiyama. The motivation would be to create an

associated between the data in a job and the means by which the job is being paid for.

Regarding claims 5-6, Aiyama discloses an electronic money processor (columns

1-8) comprising:

Receiving member which receives both processing request data transmitted from

a user through a network and based on which a processing requested by the user is

executed and electronic money data transmitted from the user through the network and

including electronic money issued by an electronic money issuer (Figure 1; column 3,

lines 52-61; column 6, lines 10-39; column 8, lines 6-7);

Memory in which the processing request data received by the receiving member

is stored (Figure 1; column 3, lines 52-61);

Transmitter which transmits the electronic money data received by the receiving

member to the electronic money issuer to check whether the electronic money is valid

or not (Figure 4; column 6, lines 10-67; column 7, lines 1-5; column 8, lines 6-7); and

Execution controller which controls execution of the processing based on the

processing request data corresponding to the electronic money data and stored in the

memory in accordance with a result of the check of validity of the electronic money

(column 7, lines 1-16; column 8, lines 6-7).

Aiyama does not specifically disclose wherein the processing data and the

electronic money are attached together. However, Olsen discloses where processing

data and a means of billing for the processing of the data are attached together (column

25, lines 33-42; column 59, lines 37-50) and where cards such as credit cards may be

read by an attached card reader (column 5, lines 23-37). It would be obvious to one of

ordinary skill in the art to adapt the use of attaching information processing and a

means of billing it as disclosed by Olsen to the information processing and payment by

electronic money as disclosed by Aiyama. The motivation would be to create an

associated between the data in a job and the means by which the job is being paid for.

Regarding claim 7, Aiyama discloses an image forming apparatus comprising the

electronic money processor as claimed in claim 5 (see rejection to claim 5 above),

further comprising:

An image forming portion in which execution of the processing based on the

processing request data is controlled by the execution control means of the electronic

money processor (column 7, lines 1-16).

Regarding claim 8, Aiyama discloses an image forming apparatus comprising:

Receiving member which receives both print data transmitted from a user

through a network and electronic money data corresponding to the print data

transmitted from the user through the network and including electronic money issued by

an electronic money issuer (Figure 1; column 3, lines 52-61; column 6, lines 10-39;

column 8, lines 6-7);

Transmitter which transmits the electronic money data received by the receiving

member to the electronic money issuer to check whether the electronic money is valid

or not (Figure 4; column 6, lines 10-67; column 7, lines 1-5; column 8, lines 6-7); and

Image forming portion which processes the print data in accordance with a result

of the check of validity of the electronic money (column 7, lines 1-16).

Aiyama does not specifically disclose wherein the processing data and the

electronic money are attached together. However, Olsen discloses where processing

data and a means of billing for the processing of the data are attached together (column

25, lines 33-42; column 59, lines 37-50) and where cards such as credit cards may be

read by an attached card reader (column 5, lines 23-37). It would be obvious to one of

ordinary skill in the art to adapt the use of attaching information processing and a

means of billing it as disclosed by Olsen to the information processing and payment by

electronic money as disclosed by Aiyama. The motivation would be to create an

associated between the data in a job and the means by which the job is being paid for.

Regarding claims 9-14, Aiyama does not specifically disclose wherein the

processing data and electronic money are attached together in a data packet including

header information and print control command. However, Olsen discloses where

processing data and a means of billing for the processing of the data are attached

together (column 25, lines 33-42; column 59, lines 37-50), where cards such as credit

cards may be read by an attached card reader (column 5, lines 23-37) and where

information which defines a document and access thereto are contained in a header

(column 2, lines 28-41; column 3, line 61 – column 4, line 6; column 7, lines 7-32; column 9, line 56 – column 10, line 13; column 12, lines 12-25). It would be obvious to one of ordinary skill in the art to adapt the use of a header with relevant document information and attaching information processing and a means of billing it as disclosed by Olsen to the information processing and payment by electronic money as disclosed by Aiyama. The motivation would be to create an associated via a print job header between the data in a job and the means by which the job is being paid for.

Response to Arguments

Applicant's arguments with respect to claims 1-5 and 8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday – Friday, 8:30 – 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at 571-272-6777. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Liversedge

Examiner

Art Unit 3692
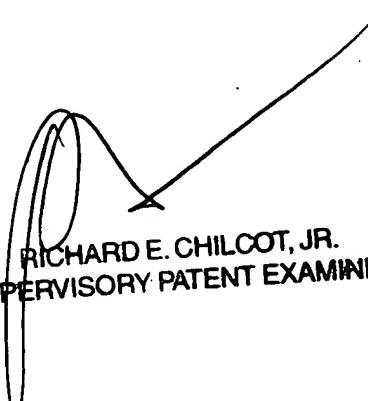
RICHARD E. CHILCOT, JR.
SUPERVISORY PATENT EXAMINER